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*Counsel for Defendant Google LLC*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION**

CHASOM BROWN, *et al.*, individually and  
on behalf of themselves and all others  
similarly situated,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Case No. 4:20-cv-03664-YGR-SVK

**DECLARATION OF DONALD SETH  
FORTENBERY IN SUPPORT OF  
GOOGLE LLC'S ADMINISTRATIVE  
MOTION TO SEAL PORTIONS OF  
GOOGLE'S ADMINISTRATIVE  
MOTION REQUESTING LEAVE TO  
DEPRECATE**

Judge: Hon. Susan van Keulen, USMJ

1 I, Donald Seth Fortenbery, declare as follows:

2 1. I am a member of the bar of the State of Kentucky and an attorney for Quinn Emanuel  
3 Urquhart & Sullivan, LLP, which serves as Google's outside counsel in this litigation. I have been  
4 admitted pro hac vice in this matter. (Dkt. 547). I make this declaration of my own personal,  
5 firsthand knowledge, and if called and sworn as a witness, I could and would testify competently  
6 thereto.

7 2. Pursuant to Civil Local Rule 79-5, I submit this declaration in support of Google  
8 LLC's Administrative Motion to Seal portions of Google's Administrative Motion Requesting  
9 Leave to Deprecate ("Motion"). In making this request, Google has carefully considered the relevant  
10 legal standard and policy considerations outlined in Civil Local Rule 79-5. Google makes this  
11 request with the good faith belief that the information sought to be sealed consists of Google's  
12 confidential and proprietary information and that public disclosure could cause competitive and  
13 other harm.

14 3. Google respectfully requests that the Court seal the redacted portion of Google  
15 LLC's Administrative Motion to Seal portions of Google's Administrative Motion Requesting  
16 Leave to Deprecate ("Motion").

17 4. The information requested to be sealed contains Google's confidential and  
18 proprietary information regarding highly sensitive features of Google's internal systems and  
19 operations, including details related Google's internal projects, internal databases, and logs, and  
20 their proprietary functionalities, that Google maintains as confidential in the ordinary course of its  
21 business and is not generally known to the public or Google's competitors.

22 5. Such highly confidential and proprietary information reveals Google's internal  
23 strategies, system designs, and business practices for operating and maintaining many of its  
24 important services, including anti-fraud services, and falls within the protected scope of the  
25 Protective Order entered in this action. *See* Dkt. 81 at 2-3.

26 6. Public disclosure of such highly confidential and proprietary information could affect  
27 Google's competitive standing as competitors may alter their system designs and practices relating  
28 to competing products, time strategic litigation, or otherwise unfairly compete with Google. It may

1 also place Google at an increased risk of cyber security threats, as third parties may seek to use the  
2 information to compromise Google's infrastructure.

3  
4 I declare under penalty of perjury of the laws of the United States that the foregoing is true  
5 and correct. Executed in Hoboken, New Jersey on December 21, 2022.

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7 DATED: December 21, 2022

QUINN EMANUEL URQUHART &  
SULLIVAN, LLP

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9  
10 By /s/ Donald Seth Fortenbery  
11 Donald Seth Fortenbery  
12 *Attorney for Defendant*  
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